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Application No. : 09/878,922 Confirmation No. : 2867
Applicant(s) : Randall S. HICKLE et al.
Filed : June 13, 2001
Title : APPARATUS AND METHOD FOR MASK FREE DELIVERY OF
: AN INSPIRED GAS MIXTURE AND GAS SAMPLING
TC/A.U. : 3761
Examiner : Darwin P. Erezzo
Docket No. : 82021-0012 CIP
Customer No. : 24633

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)**

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the document(s) listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application. One copy of Documents A2 and A3 of the listed documents is submitted herewith. A copy of Document A1 was submitted in an Information Disclosure Statement filed December 18, 2001, and is therefore not submitted herewith.

This information disclosure statement is being filed within one of the following time periods: after receipt of an Office Action but before the mailing date of a Final Office Action, Notice of Allowance, or an action that otherwise closes the prosecution in this application. The Information Disclosure Statement fee of \$180.00 is attached.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO-1449. The references contained in this Information Disclosure Statement were first cited in the attached Search Report dated February 6, 2006, in counterpart European Application No. EP 01 94 6277.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed documents are material or constitute "prior art." If the Examiner applies the documents as "prior art" against any claims in the application and Applicant determines that the cited documents do not constitute "prior art"

Application No. 09/878,922
Information Disclosure Statement

under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

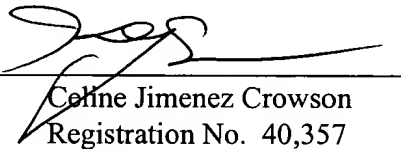
Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

Dated: May 9, 2006

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(Modified) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

82021-0012 CIP

APPLICATION NO.

09/878,922

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICANTS

Randall S. HICKLE et al.

FILING DATE

June 13, 2001

GROUP

3731

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	5,046,491	09/10/1991	Derrick et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No
	A2	EP 0 903 160 A1	03/24/1999	Europe				
	A3	WO 90/04425	05/03/1990	PCT				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), Title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

